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STATUTORY INSTRUMENTS

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**2011 No. 149 (W.33)**

**EDUCATION, WALES**

**The Education (School Day and School Year)  
(Wales) (Amendment) Regulations 2011**

<i>Made</i>	- - - -	<i>25 January 2011</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>27 January 2011</i>
<i>Coming into force</i>	- -	<i>18 February 2011</i>

The Welsh Ministers in exercise of the powers conferred on the Secretary of State by sections 551 and 569(4) and (5) of the Education Act 1996(1) and now vested in them(2), make the following Regulations:

**Title and commencement**

1. The title of these Regulations is the Education (School Day and School Year) (Wales) (Amendment) Regulations 2011 and they come into force on 18 February 2011.

**Amendment of Regulations**

2.—(1) The Education (School Day and School Year) (Wales) Regulations 2003(3) are amended as follows.

(2) At the end of regulation 4 insert—

“(7) The reference in paragraph (2) to 380 sessions is to be taken as a reference to 378 sessions in relation to the school year 2010-2011 and the school year 2011-2012.”.

(3) For regulation 5 substitute—

“5.—(1) This paragraph applies to any school session falling within the school year 2010-2011 which is devoted (wholly or mainly) to the provision of training (including training attended by both teaching and non-teaching staff and training conducted jointly with other schools), or preparation and planning, for teachers in maintained schools.

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(1) 1996 c. 56. Section 551(1A) was inserted by paragraph 39 of Schedule 7 to the Education Act 1997 (c. 44), and section 551(2) was amended by paragraph 166 of Schedule 30 and Schedule 31 to the School Standards and Framework Act 1998 (c. 31). For the meaning of “regulations” and “prescribed” see section 579(1).

(2) The functions of the Secretary of State were transferred to the National Assembly by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and then to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(3) S.I. 2003/3231 (W.311); as amended by S.I. 2006/1262 (W.119) and S.I. 2008/1739 (W.171).

(2) Paragraph (1) is to have effect in relation to no more than four school sessions in the third term of the school year in relation to which that paragraph applies.

(3) If, during the first or second term of the school year to which paragraph (1) applies, a school is prevented from meeting due to bad weather, the four school sessions provided for in paragraph (2) are to be reduced for that year by the number of school sessions on which the school was unable to meet (up to a maximum of four).

(4) Where paragraph (1) applies in relation to a school session, that session is to be regarded for the purposes of regulation 4 as a session on which the school has met.”.

25 January 2011

*Leighton Andrews*  
Minister for Children, Education and Lifelong  
Learning, one of the Welsh Ministers

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

The Education (School Day and School Year) (Wales) Regulations 2003 (“the 2003 Regulations”) apply to schools maintained by local authorities and to special schools (whether or not so maintained). They make provision (among other things) for a school day which is ordinarily to be divided into two sessions (with a break in the middle), and for schools (other than nursery schools) to meet for at least 380 sessions during any school year.

These Regulations insert a new paragraph into regulation 4 of the 2003 Regulations to reduce the minimum number of school sessions which must be held in the school years 2010-2011 and 2011-2012 from 380 to 378. These Regulations also substitute a new regulation 5 in the 2003 Regulations which, in broad terms, provides for up to four sessions in the 2010-2011 school year to count as sessions on which the school met if they were devoted to the provision of training, or preparation and planning, for teachers in maintained schools.